

Remarks

In response to the Final Office Action mailed on March 27, 2006, the Applicants respectfully request reconsideration based on the following remarks.

In the Office Action, claims 1-4, 7-13, 16-19, 22, and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rutkowski et al. (US 5,826,270, hereinafter "Rutkowski") in view of Garber et al. (US 4,905,163, hereinafter "Garber"). Claims 5-7 and 14-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rutkowski in view of Garber, Peters et al. (US 5,696,906, hereinafter "Peters") and FieldCentrix.

Applicants' Statement of the Substance of the Interview

A brief telephonic interview between the undersigned Applicants' representative and the Examiner was held on June 22, 2006 to discuss the rejection of dependent claim 1 over the Rutkowski and Garber references. In the interview, a discussion was held with respect to the limitation "customer type" appearing in claim 1 and specifically whether or not the combination of the aforementioned references disclosed a computer at a customer location which is configured to receive customer type information via a communications network in response to a submission of a customer identity. The representative pointed out that the Garber reference which was relied upon for teaching the selection of a display based on a type of user does not disclose that the customer type is received from a company at a customer location in response to a submission for customer information. Instead, it appears that Garber teaches the selection of displays based on information known about a user at the time a calling system makes the selection. The Rutkowski reference was discussed with respect to whether it teaches the communication of customer type information within customer data. A discussion was also held with respect to more clearly defining the term "customer type" in the claims.

Claim Rejections - 35 U.S.C. §103

Claims 1-4, 7-13, 16-19, 22, and 25

Claims 1-4, 7-13, 16-19, 22, and 25 are rejected as being unpatentable over Rutkowski in view of Garber. The rejection of these claims is respectfully traversed.

Independent claim 1 specifies a system for transacting business. The system includes a dispatch division for receiving information related to a problem experienced by a customer and for deploying a technician to a location requested by the customer in response to the information; a computer accessible by the technician at the location requested by the customer that is configured to initiate a communication with the company via a communications network when the technician receives a request from the customer for a transaction different from the problem and enters an identity of the customer in the computer, the computer being further configured to: submit the identity of the customer in the initiated communication, receive customer information including a customer type via the communications network in response to the submission, select one or more items corresponding to the received customer type from a set of items, provide a list of the one or more selected items, receive a selection corresponding to the received request from the customer from the one or more items, and communicate the received selection corresponding to the received request from the customer to the dispatch division over the communications network.

It is respectfully submitted that the combination of Rutkowski and Garber fails to teach, disclose, or suggest each of the features specified in claim 1. For example, the cited references fail to disclose a customer type which is received from a company at a customer location in response to a submission for customer information over a communications network and the selection of one or more items corresponding to the received customer type from a set of items.

In particular, Rutkowski discloses a system in which a cable technician/client may accomplish on-line order processing and transaction completion tasks while at a client location. The system may combine data supplied from the client or customer site with data drawn from distributed data bases to process orders or complete requests (Col. 5, lines 54-64). The data may include customer records which may include customer numbers, customer birth dates, customer telephone number, the services subscribed to, recent pay-per-view activity, and a code for the location of the customer's cable operator (Col. 14, lines 25-43). Thus, as conceded in the Office Action, Rutkowski fails to disclose a customer type which is received from a company at a customer location in response to a submission for customer information over a communications network.

Garber, relied upon to cure the deficiencies of Rutkowski, discloses a call system which may be utilized to select similarity definitions for a patient records subject of interest. Thus a definition appropriate for a physician would be selected if the current user of the system is a physician (Col. 33, lines 38-46). Garber however, also fails to disclose receiving a customer type from a company at a customer location (i.e., computer) via a communications network. Instead, Garber merely discloses that if the calling system has information regarding a particular user (e.g., a user is a physician), it will select an appropriate definition for a patient records subject of interest. Therefore, claim 1 is allowable over Rutkowski and Garber and the rejection of this claim should be withdrawn.

In addition, it is respectfully submitted that even, assuming *arguendo*, that Garber does disclose receiving a customer type at a customer location via a communications network, there is also no motivation to combine Garber with Rutkowski. In the Office Action, it is argued that motivation for combining these two references would be to automatically provide a display

based on a customer type for the benefit of presenting information appropriate to a user. Garber discloses a calling system for automatically making a definition selection based on a user type as opposed to customers interacting with an on-site technician to initiate an order resulting from the technician being present. Therefore, one of ordinary skill looking to find a reference that involves providing a customer type during an on-site technician initiated communication would not be motivated to look toward Garber since Garber appears to be based on customer (or user) activity aside from any initiation by an on-site technician (or other third party). In short, there is no disclosure in Garber which indicates the desirability to combine the disclosed calling system with the customer-site transaction processing system of Rutkowski. Accordingly, claim 1 is allowable over the attempted combination of Rutkowski with Garber for at least for this additional reason.

Claims 2-4 and 7-10 depend from claim 1 and thus are allowable for at least the same reasons. Independent claim 11 recites similar features as claim 1 and is thus also allowable for at least the same reasons. Claims 12-13, 16-19, 22, and 25 depend from claim 11 and thus are also allowable for at least the same reasons. Therefore, the rejection of claims 2-4, 7-13, 16-19, 22, and 25 should also be withdrawn.

Claims 5-7 and 14-15

Claims 5-7 and 14-15 are rejected as being unpatentable over Rutkowski in view of Garber, Peters, and FieldCentrix. The rejection of these claims is respectfully traversed. Claims 5-7 depend from claim 1 and claims 14-15 depend from claim 11. Therefore, claims 5-7 and 14-15 recited at least the same features as claims 1 and 11. As discussed above, the combination of Rutkowski and Garber fails to teach, disclose, or suggest each of features specified in claim 1 and 11. Peters and FieldCentrix, relied upon to cure the deficiencies of Rutkowski and

Garber, merely discloses subscriber account management for cable television services and the communication of data to assist field service technicians over a wireless network. Thus the combination of Peters and FieldCentrix also fails to disclose a customer type which is received from a company at a customer location in response to a submission for customer information over a communications network and the selection of one or more items corresponding to the received customer type from a set of items, as recited in the claims. Based on the forgoing, the combination of Rutkowski, Garber, Peters, and FieldCentrix fails to teach, disclose, or suggest the features specified in claims 5-7 and 14-15. Therefore, these claims are allowable and the rejection of these claims should be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicants' attorney at the number listed below.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Date: June 27, 2006

Respectfully submitted,

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